FORM NLRB-501 (3-21)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE			
Case	Date Filed		
03-CA-306217	10/31/2022		

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1 FMPI	OYER AGAINST WHOM CHARGE IS BROUGHT	··· ʊ·	
	OTENTIONIO I WHOM OTANOE IS BROUGHT	h Tol No	
a. Name of Employer		b. Tel. No.	
Higher Ground Music		(b) (6), (b) (7)(C)	
		c. Cell No.	
		f. Fax. No.	
		1.1 dx. 140.	
d. Address (Street, city, state, and ZIP code)	e. Employer Representative		
1214 Williston Road		g. e-mail	
NT 0 41 B 15 4 05400			
VT South Burlington 05403		h. Number of workers employed	
		50	
i. Type of Establishment (factory, mine, wholesaler, etc.)	i. Identify principal product or service		
Beverages (Alcoholic)	This is a music venue and bar.		
The above-named employer has engaged in and is engaged			
(list subsections) 1	of the National Labor F	Relations Act, and these unfair labor	
practices are practices affecting commerce within the me	aning of the Act, or these unfair labor practices are practi	ces affecting commerce within the	
meaning of the Act and the Postal Reorganization Act.			
Basis of the Charge (set forth a clear and concise state	ament of the facts constituting the alleged unfair labor pra	actica e)	
2. Dasis of the charge (section a clear and concise state	ernem of the facts constituting the alleged unital labor pra	ictices)	
See additional page			
e e e a a a a a a a a a a a a a a a a a			
filing charge (if labor organization of	give full name, including local name and number)		
(b) (6), (b) (7)(C) (in layer (in layer or organization, g	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
A- Address (Otrost and resolvent and to state and 710 and	-1	4b Tol No	
4a. Address (Street and number, city, state, and ZIP cod	e)	4b. Tel. No.	
		(b) (6), (b) (7)(C)	
(1-) (0) (1-) (7) (0)		4c. Cell No.	
(b) (6), (b) (7)(C)			
		4d. Fax No.	
		44.1 dx NO.	
		4e. e-mail	
		(b) (6), (b) (7)(C)	
5. Full name of national or international labor organizatio	n of which it is an affiliate or constituent unit (to be filled in	when charge is filed by a labor organization)	
· ·	,	5 , 5 ,	
6 DECL	ARATION	Tel. No.	
	ove charge and that the statements	(b) (6), (b) (7)(C)	
are true to the best of n	ny knowledge and belief.	C-7C-7C-7C-7C	
(b) (6), (b) (7)(C)		Office, if any, Cell No.	
	(b) (6), (b) (7)(C)		
(aignature of representative or person making above	(Drint/type name and title are office if any)	Fax No.	
(signature of representative or person making charge)	(Print/type name and title or office, if any)		
(b) (6), (b) (7)(C)			
Address	Date 10/31/2022 03:01:13 PM	e-mail	
Audi (33	Date	(b) (6), (b) (7)(C)	
		•	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Basis of the Charge

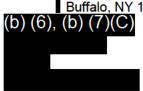
8(a)(1)

Within the previous six months, the Employer disciplined or retaliated against an employee(s) because the employee(s) engaged in protected concerted activities by, inter alia, discussing wages, hours, or other terms and conditions of employment and in order to discourage employees from engaging in protected concerted activities.

Name of employee disciplined/retaliated against	Type of discipline/retaliation	Approximate date of discipline/retaliation
(b) (6), (b) (7)(C)	cut hours	^{© (©, ©) (7} /2022



REGION 3 130 S Elmwood Ave Ste 630 Buffalo, NY 14202-2465 Agency Website: www.nlrb.gov Telephone: (716)551-4931 Fax: (716)551-4972 Download NLRB Mobile App



Re: Higher Ground Music Case 03-CA-306217

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on October 28, 2022 has been docketed as case number 03-CA-306217. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner ADAM PELLETIER whose telephone number is (518)419-6671. The mailing address is 11A Clinton Ave STE 342, ALBANY, NY 12207-2366. If this Board agent is not available, you may contact Supervisory Field Examiner NEALE K. SUTCLIFF whose telephone number is (314)449-7489.

<u>Right to Representation</u>: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, <u>www.nlrb.gov</u>, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to

take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. To ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

<u>Controlled Unclassified Information (CUI)</u>: This National Labor Relations Board (NLRB) proceeding may contain Controlled Unclassified Information (CUI). Subsequent information in this proceeding may also constitute CUI. National Archives and Records Administration (NARA) regulations at 32 CFR Part 2002 apply to all executive branch agencies that designate or handle information that meets the standards for CUI.

* * *

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

LINDA M. LESLIE

Linda M. Ledre

Regional Director





REGION 3 130 S Elmwood Ave Ste 630 Buffalo, NY 14202-2465

Higher Ground Music 1214 Williston Road South Burlington, VT 05403 Agency Website: www.nlrb.gov Telephone: (716)551-4931

Fax: (716)551-4972

Download **NLRB** Mobile App

Higher Ground Music Re: Case 03-CA-306217

Dear Sir or Madam:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

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Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

LINDA M. LESLIE Regional Director

Linda M. Ledre

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

FORM NLRB-5081 (3-11)	NATIONAL LABOR RELA	ATIONS BOARD			
	ONNAIRE ON COMME	RCE INFORMATION			
Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.					
CASE NAME		, , , , , , , , , , , , , , , , , , ,		NUMBER	
			03-CA-	306217	
1. EXACT LEGAL TITLE OF ENTITY (As filed w	rith State and/or stated in legal	documents forming entity)			
2. TYPE OF ENTITY					
[] CORPORATION [] LLC [] LLP [] PARTNERSHIP [] SOLI	E PROPRIETORSHIP [] OTH	ER (Spec	ify)	
3. IF A CORPORATION or LLC					
A. STATE OF INCORPORATION	B. NAME, ADDRESS, AND	RELATIONSHIP (e.g. parent, subsi	diary) Ol	F ALL RELATED EN	NTITIES
OR FORMATION					
4. IF AN LLC OR ANY TYPE OF PARTNERSHI	P, FULL NAME AND ADDRI	ESS OF ALL MEMBERS OR PAR	TNERS		
	,				
5. IF A SOLE PROPRIETORSHIP, FULL NAME	AND ADDRESS OF PROPRI	ETOR			
6. BRIEFLY DESCRIBE THE NATURE OF YOU	JR OPERATIONS (Products he	andled or manufactured, or nature of	services	performed).	
7A. PRINCIPAL LOCATION:	7B. BRANC	H LOCATIONS:			
8. NUMBER OF PEOPLE PRESENTLY EMPLO	YED				
A. TOTAL:	B. AT THE ADDRESS INVO				
A. TOTAL: 9. DURING THE MOST RECENT (Check the app			AL YEA) NO
9. DURING THE MOST RECENT (Check the app	ropriate box): [] CALENDAR	R []12 MONTHS or []FISC		R (FYDATESYES) NO
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DURING THE MOST RECENT (Check the app A. Did you provide services valued in excess of \$50,0 \$	ropriate box): [] CALENDAE Output Control Co	e your State? If no, indicate actual vacustomers in your State who purchas	lue.		NO NO
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NAME AND TITLE (Type or Print) SIGNATURE E-MAIL ADDRESS DATE

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

HIGHER GROUND MUSIC	
Charged Party	
and	Case 03-CA-306217
(b) (6), (b) (7)(C)	
Charging Party	
AFFIDAVIT OF SERVICE OF CHARGE AGAINS	T EMPLOYER
I, the undersigned employee of the National Labor Relationship the above-entitled document(s) by post-paid regular addressed to them at the following addresses:	
Higher Ground Music 1214 Williston Road South Burlington, VT 05403	
P	Rebecca Campbell , Designated Agent of NLRB

Name

/s/ Rebecca Campbell

Signature

10/31/2022

Date

FORM NLRB-501 (3-21)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD **CHARGE AGAINST EMPLOYER**

DO NOT WRITE IN THIS SPACE			
Case	Date Filed		
3-CA-306211	10/31/2022		

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in	which the alleged unfair labor practice occurred or is occu. OYER AGAINST WHOM CHARGE IS BROUGHT	rring.
a. Name of Employer	OTENAGAINOT WHOM GHANGE IS BROOGHT	b. Tel. No.
Centerpoint School/ Northeastern Family Institute Vermont		(802) 658-0040
	Contemporar Contemporario and American Contemporario and Contempor	
		c. Cell No.
		f. Fax. No.
1715	I - Francisco Barras and Adica	_
d. Address (Street, city, state, and ZIP code) 30 Airport Road	e. Employer Representative	g. e-mail
30 All port Road	(b) (6), (b) (7)(C)	9
	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) nafi.com
VT South Burlington 05403		h. Number of workers employed
		10
i. Type of Establishment (factory, mine, wholesaler, etc.)	j. Identify principal product or service	
Schools	Education/ Mental Health	
The above-named employer has engaged in and is engaged	ging in unfair labor practices within the meaning of section	on 8(a), subsections (1) and
(list subsections) 3,1	of the National Labo	r Relations Act, and these unfair labor
practices are practices affecting commerce within the me	aning of the Act, or these unfair labor practices are prac	ctices affecting commerce within the
meaning of the Act and the Postal Reorganization Act.		
2. Basis of the Charge (set forth a clear and concise state	ement of the facts constituting the alleged unfair labor p	ractices)
See additional page		
3 Full name of party filing charge (if labor organization of	nive full name including local name and number	
3. Full name of party filing charge (if labor organization, gloseph Moore	UniServ Director	
Centerpoint Education Association/ Vermont-NEA 4a. Address (Street and number, city, state, and ZIP cod.)	٩	4b. Tel. No.
44. Address (Street and Hamber, City, State, and Zir Codi	5)	(b) (6), (b) (7)(C)
		4c. Cell No.
10 Wheelock St.		40. Och No.
VT Montpelier 05602		4d. Fax No.
		Tu. Tux No.
		4e. e-mail
		jmoore@vtnea.org
5. Full name of national or international labor organizatio	n of which it is an affiliate or constituent unit (to be filled i	, , ,
_	mor which it is an animate of constituent unit (to be fined in	when charge is filed by a labor organization)
National Education Association		
	ARATION	Tel. No.
	ove charge and that the statements ny knowledge and belief.	(b) (6), (b) (7)(C)
Are tide to the best of the	ly knowledge and belief.	Office, if any, Cell No.
() I Man	Joseph Moore UniServ Director	
(signature of representative or person making charge)	(Print/type name and title or office, if any)	Fax No.
10 Wheelock St.	•	
Address Montpelier VT 05602	Date 10/28/2022 12:50:37 PM	e-mail
Address Montpolici v i 00002	Date 10/20/2022 12:30:37 FW	jmoore@vtnea.org

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(a)(3)

Within the previous six months, the Employer discharged an employee(s) because the employee(s) joined or supported a labor organization and in order to discourage union activities and/or membership.

Name of employee discharged	Approximate date of discharge
(b) (6), (b) (7)(C)	୭୮୭.୭୮୯/2022

8(a)(1)

Within the previous six-months, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by interrogating employees about their union activities.

(b) (6), (b) (7)(C)	(D)(E),(D)(7)/2022
Name of Employer's Agent/Representative who made the statement	Approximate date





REGION 3 130 S Elmwood Ave Ste 630 Buffalo, NY 14202-2465 Agency Website: www.nlrb.gov Telephone: (716)551-4931 Fax: (716)551-4972 Download NLRB Mobile App

October 31, 2022

(b) (6), (b) (7)(C)

Centerpoint School/ Northeastern Family Institute Vermont 30 Airport Road South Burlington, VT 05403

Re: Centerpoint School/ Northeastern Family

Institute Vermont Case 03-CA-306211

Dear (b) (6), (b) (7)(C)

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner DONALD STARR whose telephone number is . The mailing address is 11A Clinton Ave STE 342, ALBANY, NY 12207-2366. If this Board agent is not available, you may contact Supervisory Field Examiner NEALE K. SUTCLIFF whose telephone number is (314)449-7489.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Due to the nature of the allegations in the enclosed unfair labor practice charge, we have identified this case as one in which injunctive relief pursuant to Section 10(j) of the Act may be appropriate. Therefore, in addition to investigating the merits of the unfair labor practice allegations, the Board agent will also inquire into those factors relevant to making a determination as to whether or not 10(j) injunctive relief is appropriate in this case. Accordingly, please include your position on the appropriateness of Section 10(j) relief when you submit your evidence relevant to the investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. To ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Case 03-CA-306211

<u>Controlled Unclassified Information (CUI)</u>: This National Labor Relations Board (NLRB) proceeding may contain Controlled Unclassified Information (CUI). Subsequent information in this proceeding may also constitute CUI. National Archives and Records Administration (NARA) regulations at 32 CFR Part 2002 apply to all executive branch agencies that designate or handle information that meets the standards for CUI.

* * *

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

LINDA M. LESLIE Regional Director

Linda M. Ledre

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

	M NLRB-5081 (3-11)	NATIONAL LABOR REL	ATIONS BOARD			
		ONNAIRE ON COMM	ERCE INFORMATION			
Plea	Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.					
_	SE NAME		, , , , , , , , , , , , , , , , , , ,		NUMBER	
				03-CA	-306211	
1. 1	EXACT LEGAL TITLE OF ENTITY (As filed w	rith State and/or stated in lega	l documents forming entity)			
2.	TYPE OF ENTITY					
[]	CORPORATION [] LLC [] LLP [] PARTNERSHIP [] SOI	E PROPRIETORSHIP [] OT	THER (Spe	ecify)	
3.]	IF A CORPORATION or LLC					
	STATE OF INCORPORATION	B. NAME, ADDRESS, AN	D RELATIONSHIP (e.g. parent, sul	bsidiary) C	OF ALL RELATED EN	NTITIES
(OR FORMATION					
4.	IF AN LLC OR ANY TYPE OF PARTNERSHI	P, FULL NAME AND ADDR	ESS OF ALL MEMBERS OR PA	ARTNERS	S	
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12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE NAME AND TITLE (Type or Print) SIGNATURE

NAME AND TITLE (Type or Print) SIGNATURE E-MAIL ADDRESS DATE

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

CENTERPOINT SCHOOL/ NORTHEASTERN FAMILY INSTITUTE VERMONT Charged Party and CENTERPOINT EDUCATION ASSOCIATION/ VERMONT-NEA Charging Party	Case 03-CA-306211
AFFIDAVIT OF SERVICE OF CHARGE AGAINS I, the undersigned employee of the National Labor Rela October 31, 2022, I served the above-entitled documen following persons, addressed to them at the following a	ntions Board, state under oath that on t(s) by post-paid regular mail upon the
(b) (6), (b) (7)(C) Centerpoint School/ Northeastern Family Institute Vermont 30 Airport Road South Burlington, VT 05403	
October 31, 2022	Andrea Seyfried, Designated Agent of NLRB

Name

Signature

/s/Andrea Seyfried

Date





REGION 3 130 S Elmwood Ave Ste 630 Buffalo, NY 14202-2465 Agency Website: www.nlrb.gov Telephone: (716)551-4931 Fax: (716)551-4972 Download NLRB Mobile App

October 31, 2022

Joseph Moore, UniServ Director Centerpoint Education Association/ Vermont-NEA 10 Wheelock St. Montpelier, VT 05602

Re: Centerpoint School/ Northeastern Family

Institute Vermont Case 03-CA-306211

Dear Mr. Moore:

The charge that you filed in this case on October 31, 2022 has been docketed as case number 03-CA-306211. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner DONALD STARR whose telephone number is . The mailing address is 11A Clinton Ave STE 342, ALBANY, NY 12207-2366. If this Board agent is not available, you may contact Supervisory Field Examiner NEALE K. SUTCLIFF whose telephone number is (314)449-7489.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you

fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. To ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

<u>Controlled Unclassified Information (CUI)</u>: This National Labor Relations Board (NLRB) proceeding may contain Controlled Unclassified Information (CUI). Subsequent information in this proceeding may also constitute CUI. National Archives and Records Administration (NARA) regulations at 32 CFR Part 2002 apply to all executive branch agencies that designate or handle information that meets the standards for CUI.

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Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

LINDA M. LESLIE Regional Director

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